

EXHIBIT A

CURRICULUM VITAE

Bryan Howell*Associate Professor, Design Department*[BYU Center For Industrial Design Education & Research](#)[Google Scholar](#) – [Bryan F. Howell](#)

E: bryan.howell@byu.edu

P: 435.659.1719

EDUCATION

2001 - 2003

MASTER OF FINE ARTS, DESIGN*University of Texas at Austin, Austin, TX*

1979- 80/1982- 87

BACHELOR OF FINE ARTS, INDUSTRIAL DESIGN*Brigham Young University, Provo, UT***ACADEMIC EXPERIENCE**

2025- PRESENT

FULL PROFESSOR*Design Department, Brigham Young University, Provo, UT*

COURSES TAUGHT: Year Long Multi-Disciplinary Innovation Practicum (Crocker 1) & Commercializing Innovation (Crocker 2), Fourth Year Product Design & User Experience Studio, European Field Study & Cultural Survey, Professional Practices, Survey of Design.

2021- 2025

ASSOCIATE PROFESSOR*Design Department, Brigham Young University, Provo, UT*

COURSES TAUGHT: Year Long Multi-Disciplinary Innovation Practicum (Crocker 1) & Commercializing Innovation (Crocker 2), History of Product Design, European Field Study & Cultural Survey, Introduction to Visual Literacy, Multi-disciplinary Packaging Design, Third- and Fourth-Year Industrial Design Studio, Directed Research Studies.

2006 – 2021

ASSOCIATE PROFESSOR*Industrial Design, School of Technology, College of Engineering, Brigham Young University, Provo, UT*

COURSES TAUGHT: Year Long Multi-Disciplinary Innovation Practicum (Crocker 1) & Commercializing Innovation (Crocker 2), History of Product Design, European Field Study & Cultural Survey, Introduction to Visual Literacy, Industrial Design Studio 2 & 3, Law X, Legal Product Development, Directed Research Studies.

2013 – 2014

GUEST RESEARCHER*Industrial Design Engineering, Technical University of Delft, Delft, Netherlands.*

COURSES CO-TAUGHT: One was a class training graduate students on research and publication methods I was one of dozens of mentors the posted a topic of study the students could choose from to work on. Of the dozen students who choose to work on my topic, color, we, myself and three students, eventually published two manuscripts after the class was completed. The other was an Introduction to Industrial Design class including form and narrative development, and some basic color studies. I established long-term relationships with faculty there that have led to multiple publications and workshops.

2001 – 2003

GRADUATE STUDENT*Design Department, University of Texas at Austin, Austin, TX*

COURSES CO-TAUGHT: I was the class assistant in an undergraduate Architectural Engineering Design class. I organized a Design Research Workshop for an Entrepreneurship class at the McCombs School of Business, and I directed an undergraduate design studio project in our program. In the spring of 2022, I came to BYU and taught an "Introduction to Design" class.

PROFESSIONAL EXPERIENCE

2013 - PRESENT

HOWELL DESIGN**Park City, UT**

EXPERT WITNESS: I consult as an industrial design expert witness with attorneys on Ex Parte reexaminations, (EXRx), Inter Partes reviews (IPR), and Design Patent Validity and Infringement cases. I explain the state of the art, assess and describe the claims of the patents involved, and write and visualize my opinions of each claim in a legal declaration.

DESIGN MANAGEMENT CONSULTANT: I provide design management consulting services for regional companies. I conduct employee training workshops, recruit designers, assist with intellectual property development, and mentor design managers and staff designers.

2003 - 2008

PURE DESIGN LABS, Owner**Park City, UT**

I directed product, brand, and packaging designs for North American and South Asian clients. I directed the design and development of several fitness product lines for Sportline Inc. and multiple Yahoo! branded consumer electronic products

that sold in Canada and Mexico. I directed the tasks and activities of many Chinese designers and manufacturers.

2000 – 2001	DELL COMPUTER, Design Director	Austin, TX
	I directed a \$9.5 million global Industrial Design budget. I successfully restructured the industrial design department as an independent entity and led the design and construction of Dell's first design center. I directed the international research and design efforts of Dell's internal and external product developers, creating ~50 new products a year. I initiated an product experience research project that evolved into the establishment of the Customer Experience Research Center. I implemented Dell's first consistent product identity across all consumer product lines. I participated in new product identification and validation, product line planning, and was responsible for the product design of corporate and consumer desktops, portables, and peripherals.	
1999 – 2000	DELL COMPUTER, Design Manager	Austin, TX
	Responsible for restructuring and unifying the newly centralized ID group and directing the design activities for all mobile computing. Organized our global design research efforts on 3 continents to verify market design directions.	
1998 – 1999	DELL COMPUTER, Engineering Manager	Austin, TX
	One of nine founding members of the Inspiron brand of mobile computers. I led the product research efforts establishing Inspiron as the leader in the "Desktop Replacement" market. I influenced Asian technology manufacturers' product roadmap strategies to Dell's advantage. Collaborated with finance, marketing, and engineering to explore and define product innovations, development risks, and product features. Led the definition of Inspiron's 7000 series products, introducing the first 15" and SXGA+ LCD panels and upgradeable video memory, that disrupted market norms.	
1994 – 1998	DELL COMPUTER, Design Manager	Austin, TX
	Led a multi-disciplinary design team that created Dell's award-winning Latitude CP notebook and C Dock family, Dell's first comprehensive product "design language." Guided worldwide market research on design language and usability issues. Created and tested Dell's new keyboard layout, including a multi-patented, split keyboard. This product family brought Dell notebooks from "out of the market" to "global market leader" in 4 years.	
1991 – 1994	FROG DESIGN, Design Manager	Menlo Park, CA
	Managed the branding and product design for global clients from Frog's CA and Singapore offices. Coordinated engineering, graphic design, industrial design, and human factors for NeXT Computers, where I worked directly with Steve Jobs for two years. I designed the EO Computer, now on permanent display in the London Design Museum. I also designed the Packard Bell Computer family of products, an IBM Personal Digital Assistant, a Logitech Digital Camera & Mouse USA). For our Asian clients I designed the Genesis Telecom (Singapore) family of digital phones for the European market, a family of Elecom computer accessories (Japan), and a family of Sachihata office tools (Japan).	
1989 – 1991	FROG DESIGN, Junior Designer & Photographer	Altensteig, Southern Germany
	I designed office tables and chairs for König & Neurath, dental equipment for KAVO, coffe machines, accessories and exhibits for Melitta, cookware for Fissler, an atomic wristwatch for Junghans, and outdoor furniture for Jardin. I was also responsible for the office photo studio and archive.	
1987 – 1988	EXHIBIT SYSTEMS, Museum and Exhibit Designer	Salt Lake City, UT
	I designed the floor plans, structures, graphics, photography, and content organization for exhibit booths, visitor centers, and museums.	

FOREIGN RESIDENT

2013-2014	The Netherlands
1993-1994	Singapore
1989-1991	Germany
1980-1982	United Kingdom
1972-1973	Tunisia

SUMMARY OF ACADEMIC & PROFESSIONAL OUTCOMES SINCE 2006

2006 – Current

Publications

3 – Best Paper Awards
4 - Research Journal Manuscripts
2- Professional Journal Manuscripts
61 – Design Conference Publications

Presentations

8 – Invited, Keynote, Plenary, and Webinar presentations
10 – International Conference workshops
61 – Conference presentations - that accompany the 40conference publications

Professional Practice

2 – Design Museum Permanent Collections
10 – Expert Witness Cases

3 – Design Management Clients
1 – Patent

EXPERT WITNESS CONSULTING

I consult as an industrial design expert witness in collaboration with attorneys pursuing or defending Ex Parte (EXRx) reexamination or Inter Partes review (IPR) and Design Patent Validity and Infringement cases.

2024 – Current

Design Patent Infringement

Law Firm: Utah
Law Firm: Utah

This is a paid consultation and currently confidential.
It started in November; it is projected to conclude in the spring of 2025.

2024 – Current

Brigham Young University

Law Firm: Utah
Law Firm: Texas

This is a paid consultation and currently confidential.
It started in May; it is projected to conclude in the spring of 2025.

2021 – 2022

[Inter Partes Review of U.S. Patent 10,912,708, Battery-powered Percussive Massage Device](#)

Client: MerchSource LLC d/b/a Sharper Image, Irvine, California
Law Firm: Renner, Otto, Cleveland, Ohio.

The Plaintiff, Hyper Ice Inc., has asserted that MerchSource (Sharper Image) has infringed claims of U.S. Patent No. 10,912,708. I completed an expert witness declaration was completed.
Sharper Image is part of the ThreeSixty Group, which owns Sharper Image, Vornado, FAO Schwartz, and Discovery brands. Sharper Image markets home electronics and lifestyle products. It has offices globally, markets internationally, and a yearly revenue of 86 million dollars.
Hyper Ice disclaimed patent claims 13 – 18 and amended its own patent, and in July 2022, the Patent Trial and Appeal Board (PTAB) issued a decision Denying the Institution of an Inter Partes Review, ending Hyper Ice's ability to pursue the case further.

2018 - 2019

[Inter Partes Review of U.S. Patent 6,860,612 B2, Illuminated Keyboard Switch Structure](#)

Client: Lite-On Technology, Taipei, Taiwan
Law Firm: Pillsbury, Winthrop, Shaw, Pittman., San Francisco, California

The petitioner, Lite-On, has asserted that claims made in U.S. Patent 6,860,612 B2, owned by Darfon Electronics Corporation, Taoyuan City, Taiwan, are anticipated, obvious, and found in prior art and should be invalidated. I completed an expert witness declaration explaining how Darfon patents were anticipated and obvious.
This project also included a disposition, a question-and-answer session when opposing attorneys interrogate my opinions. Depositions are given under oath and recorded by a Court Reporter, who submits the deposition as case evidence.
Lite-On manufactures consumer electronics and computer components, like keyboards, for global brands. It has offices globally, markets products internationally, and has a yearly revenue of 210 million dollars. The project was settled out of court; I am not aware of the details.

2018 - 2019

[Inter Partes Review of U.S. Patent 6,633,012, Key Device with a Scissors-Like Structure](#)

Client: Lite-On Technology, Taipei, Taiwan
Law Firm: Pillsbury, Winthrop, Shaw, Pittman., San Francisco, California

While working on the '612 case listed above, another attorney from the same firm commissioned me to consult on a second case involving the same parties. The petitioner, Lite-On, has asserted that claims made in U.S. Patent 6,633,012, owned by Darfon Electronics Corporation, Taoyuan City, Taiwan, are anticipated, obvious, and found in prior art and should be invalidated. I completed a full declaration explaining how Darfon patents were anticipated and obvious. The project was settled out of court; I am not aware of the details.

2019

[Design Patent Infringement of U.S. Design Patent Nos. D669,112, and D782,562, Webcam Covers](#)

Client: Handstands, Salt Lake City, Utah
Law Firm: Thorpe, North & Western, Salt Lake City, Utah.

Solpals, LLC and C-Slide Holdings LLC file a complaint demand for a jury trial against Handstands Promo LLC. Solpals claims that a Handstand webcam cover product infringes their '562 and '112 patent claims and demands Handstands cease and desist its continued infringement.
I was commissioned by Handstands to defend their rights in this Design Patent Infringement Case. The test for design patent infringement is called the "ordinary observer" test. Under this test, a design infringes if, in the eye of an ordinary observer or purchaser, two designs are substantially the same.
Handstand Promo, LLC., is a private company specializing in marketing and advertising. It offers a variety of promotional products, including phone and tablet accessories, air fresheners, stress relief items, and automotive accessories. They report annual revenue of \$2.9 million. The case was settled in July 2019, and on May 5, 2020, a judge dismissed it with prejudice.

2018 Inter Partes Review of U.S. Patent 6,743,030 B2, Portable Storage Device with Universal Serial Bus*Client: Western Digital, San Jose, California**Law Firm: Sterne, Kessler, Goldstein, and Fox, Washington D.C.*

The petitioner, Western Digital, has asserted that claims made in U.S. Patent 6,743,030 are anticipated, obvious, and found in prior art and should be invalidated. I was commissioned by Western Digital to assess their patent and the patents they were going to use to demonstrate obviousness.

Western Digital is an international leader in digital storage solutions. They market products globally and report 11.25 billion dollars in annual revenue. The case was settled, I am not aware of the details.

2018 Office action declaration for US patent 10,501,929 B2, Hollow Connector Sleeve with Interlocking Components*Client: Drew Henry, Oroville, California**Law Firm: Kunzler, Bean & Adamson, Salt Lake City, Utah.*

This declaration was written in response to a USPTO office action asserting claims made in the '929 patent was obvious based on prior art. My report challenged the examiner's references, explaining why they are not obvious.

Drew Henry works in the construction industry and is an individual inventor.

2013 -2014 An Ex-Parte Reexamination of US Patent 8,256,913, Housing for a Computing Device[First Declaration](#)[Second Declaration](#)*Client: Apple Incorporated, Cupertino, California**Law firm: Sterne, Kessler, Goldstein, and Fox, Washington D.C.*

This product is an expert witness commission from Apple Computer to provide testimony in an Ex Parte Reexamination (EPRx) case involving U.S. Patent 8,256,913, Housing for a Computing Device (which is a poor title for an illuminated mobile computer connector).

In this case, a third party declared the patented illuminated power connector used on the iBook G3 invalid based on prior art patents, including an illuminated Ethernet Jack, Automotive Cigarette Lighter, and an Elevator Button. As a team, we assess each claim in each patent, discuss their relationships and interactions, and determine responses to the third parties' complaints. With a shared understanding of our responses, we built a presentation explaining our positions and met with USPTO reviewers in Washington, DC, to discuss the case.

This legal process is blind; only USPTO reviewers and three federal judges assessed the case documents. To our surprise, they declared that Apple's patent should be invalidated based on claims from the automotive cigarette lighter. Apple disagreed with this outcome and successfully filed to readdress the ruling. The lead Apple attorney reassembled the team and tasked us with designing a new strategy to overcome the reviewer's recommendations.

In this second effort, while rereading the claim words, the attorneys were repeating the same thoughts and definitions they used the first time. Something had to change. Utilizing my visual skills as a designer, I redrew the cigarette lighter and its components, color-coding each claim as they were drawn. In doing so, I uncovered a previously unseen detail, a window, an absence of material, which lacked description in the claim wording that attorneys and reviewers were focused on. The lighting of the product relied on the reflective properties of the environment surrounding the product, within the car dashboard, rather than direct lighting. This function was not expressed in the written claims. All of us, the attorneys, reviewers, and I had misinterpreted the lighting principles of the product based on words alone.

With this new understanding, we again met with the same USPTO reviewers, and I visually and contextually explained the product's design. After a few ooohs and aaahs from the reviewers, we wrote a second declaration clearly outlining my opinions and it was submitted for review. On April 17, 2014, the USPTO reversed its previous declaration on the Apple patent and issued a [Reexamination Certificate](#), upholding patent '913 with amended claims.

DESIGN MANAGEMENT CONSULTING

I provide design management consulting services to regional companies. I design and conduct workshops, assess research and development processes, recruit designers, assist with intellectual property development, and mentor design managers and younger designers.

2020– 2025 Innovation Process Consulting*Client: [Lifetime Products](#), Clearfield, Utah*

The director of research and development and the industrial design manager contracted me to assess their new product development processes, improve them, and train employees in innovation methods and intellectual property development through day-long workshops. I also recruited design contractors, interns, and, most recently, a new design research employee. We discussed issues building a design and engineering studio in Mexico, which was implemented in 2023. With design students, we organized and conducted eye-tracking research projects on customer-assembled children's chairs and table kits and a usability assessment exercise on their corporate website.

Lifetime is a vertically integrated manufacturer of recreational and home products. It is a privately held company with offices in the US, Mexico, and China. Although its annual revenue is not public, it is in the 700-million-dollar range. Their internal processes now include a phase zero product innovation phase, including ethnographic and concept validation tools. A team was assigned to prototype the new processes and tools. Employees were educated in the new processes in multiple workshops. Research projects were also conducted on projects demonstrating the methods.

2020– 2023 Industrial Design Management Consulting*Client: [Shyft Global](#), Orem, Utah*

I was contracted to define, recruit, and hire a team of industrial designers for them. After that was accomplished, I

continued to consult with the new leaders and designers as they defined and grew the design culture. My engagement greatly reduced in the early part of 2023.

Shyft has offices in Mexico, China, and Vietnam. It is a rapidly growing sourcing, logistics, and design firm servicing startups in the western region of the US and a publishing company in Germany. Their annual revenue is between 20 and 30 million dollars and growing.

Within months, we hired a design team, including a Chief Design Officer from Skull Candy, an Industrial Design Director from Eagle Creek, a junior industrial designer from BYU, a senior and mid-level apparel designer, and a junior developer. They went from one graphic designer to one of the larger design teams in the state. They outgrew their offices and moved to a much larger office with a design studio.

2019

Industrial Design Management Consulting

Client: [Gravel Travel](#), Provo, Utah

The owners commissioned me to advise on their product roadmap and manufacturing plan and coach them and their design leader on designer management and morale concerns. They had hired three energetic but inexperienced young designers. I helped management set appropriate expectations and outlined the remaining tasks for the design team. This included identifying patentable product claims and editing the final patent application.

Gravel sells travel accessories. At the time, it had seven employees and an annual revenue of around a million dollars. They introduced a new product line and obtained a new patent for the products I helped one. They initiated a Kickstarter at the start of COVID with some success and developed and sold a luggage system. [Gravel Bag System | 42L Backpack, Sling Bag & 11L Day Bag](#). We also developed IP on one cross-body sling bag product and applied for a patent, which was issued on September 27, 2022. I am listed as a co-inventor. [Convertible hip belt and backpack system for efficient travel](#).

PERSONAL DESIGN AWARDS & RECOGNITION

- 2016 Design Museum, London UK, Permanent Collection – EO 440 Personal Communicator
- 2000's Royal Museums Greenwich, Greenwich, UK - Junghans Mega 1
- 2011 International Design Excellence Award: Emron Henry.
- 2002 Industrial Design Excellence Award (IDEA) Bronze Award Winner, Business Week Magazine - Dell Speaker System
- 2002 Distinction Award, Industrial Design Magazine – Dell Speaker System
- 2001 IDEA Bronze Award Winner, Business Week Magazine - Dell Latitude Computer Notebook Family
- 2000 G-Mark Award, Japan Institute of Design Promotion – Dell OptiPlex Computer System
- 1998 Good Design Exhibition and the Museums, Permanent Design Collection, Chicago Athenaeum, The Museum of Architecture and Design – OptiPlex Net PC
- 1995 Industrial Design Excellence Award (IDEA) Gold Award Winner, Business Week Magazine – Dell Latitude XP Laptop Computer
- 1994 Red Dot Award, Design Zentrum Nordheim Westfalen in Essen, Germany, - König & Neurath Office Furniture System
- 1994 Industrial Design Excellence Award (IDEA) Bronze Award Winner, Business Week Magazine – Sachihatata Wevox Stationary Products
- 1993 Industrial Design Excellence Award (IDEA) Bronze Award Winner, Business Week Magazine – EO 440 Personal Communicator
- 1992 Industrial Design Excellence Award (IDEA) Silver Award Winner, Business Week Magazine – Jardin “Fleury” Garden Furniture.
- 1992 Industrial Design Excellence Award (IDEA) Bronze Award Winner, Business Week Magazine – KaVo “Systematica 1062” Dental Equipment.

UTILITY PATENTS

- 2021 [US 20,210,298,460 A1 - Convertible Hip Belt And Backpack System For Efficient Travel](#)
- 2003 [US 6,621,691 - Portable Computer with Top Mounted Optical Drive](#)
- 2003 [US 6,590,508 - Backlit Keyboard for Portable Computer](#)
- 2002 [US 6,411,504 - Portable Computer Having Latching Hooks](#)
- 2002 [US 6,385,037 - Configurable Palm Rests for Notebook Computers](#)
- 2002 [US 6,353,531 - Integrated Visor for A Notebook Computer](#)
- 2001 [US 6,297,947 - LCD Housing Having Offset Hinges](#)
- 2001 [US 6,239,969 - Computer Docking Guidance System](#)
- 2001 [US 6,222,724 - LCD Housing Having Vertically Offset Hinges](#)
- 2001 [US 6,222,728 - Alignment Tray for Docking A Portable Computer to a Docking Device](#)
- 2000 [US 6,141,215 - Hybrid Cooling Heat Exchanger Fin Geometry and Orientation](#)
- 2000 [US 6,128,192 - Integrated Rear Cover for A Notebook Computer Base](#)
- 2000 [US 6,096,984 - Adjustable Form Touch Pad](#)
- 2000 [US 6,069,790 - Portable Computer Ejection Mechanism for Docking Devices](#)
- 2000 [US 6,049,454 - Computer Monitor Stand and Docking Method](#)

2000 [US 6,023,411 - Modular Docking Tray and Method](#)

2000 [US 6,011,687 - Docking Station Adapter for Computer Media Modules](#)

1999 [US 5,999,401 - Shroud Less Small Form CD-ROM For Notebook Computers](#)

1999 [US 5,995,366 - A Computer Anti-Theft System and Method](#)

1998 [US 5,825,616 - Media Module Locking and Ejecting Mechanism](#)

1998 [US 5,818,688 - Tilttable Negative Slope Portable Computer](#)

1998 [US 5,808,275 - Hair Shaping Apparatus with Electrically Heated Rollers](#)

1998 [US 5,768,093 - Technique for Minimizing the Height of a Portable Computer](#)

1998 [US 5,754,397 - Docking Connector with Height Adjustment in a Computer](#)

1998 [US 5,724,224 - Integrated Palm Rest and Battery Pack Having Palm Rest Surfaces](#)

1997 [US 5,691,928 - Portable Personal Computer Having Removable Security Module](#)

1997 [US 5,625,534 - A Portable Computer Having a Data Card Reader Apparatus](#)

1997 [US 5,613,786 - Keyboard with Adjustable Splay and Probation Pivot Points](#)

1996 [US 5,580,107 - Hidden Latch Hooks for Portable Personal Computer and the Like](#)

1992 [DE000004026900C1 - Stuhlgestell Für Stühle \(Chair Frame For Chairs\)](#)

1992 [DE000004026910A1 - Bausatz Für Bürotische Mit Tischplatte Und Tischgestell](#)
(Kit For Office Tables with Tabletop and Table Frame)

DESIGN PATENTS

1996 [US 0,375,578 - Hair shaping apparatus](#)

Total = 32